

R E M A R K S

Reconsideration of this application, as amended, is respectfully requested.

Claim 24 has been amended to recite recording means, based on claim 30, which has been canceled. Claims 31, 33, 34, 36-42, 45 and 46 have been amended to reflect the amendment to claim 24 and cancellation of claim 30. Claim 51 has been amended to better accord with independent claim 48.

Moreover, claims 24, 48 and 56 have been amended, and claims 57, 58 and 59 have been added, to clarify the features recited therein so as to even more clearly patentably distinguish over the cited references.

In particular, it is respectfully submitted that USP 6,287,027 ("Komiya et al"), even considered in view of the various other cited publications, does not disclose, teach or suggest analyzing means for determining a reference point and two mutually independent reference vectors for determining the predetermined positions of the plurality of marks in the chart image such that the sum of squares of the difference becomes minimum between: respective positions of the plurality of marks in the chart image created by the image pickup means, and respective positions of the plurality of marks based upon the geometric property format stored in the format storage means, as

recited in amended independent claim 24. It is also respectfully submitted that Komiya et al, even considered in view of the various other cited publications, does not disclose, teach or suggest the corresponding method step and structure of claims 48 and 56.

In addition, it is respectfully submitted that USP 6,287,027 ("Komiya et al"), even considered in view of the various other cited publications, does not disclose, teach or suggest analyzing means for calculating respective center positions of the plurality of marks in the chart image created by the image pickup means, and for determining at least one of a position vector of a reference point and a reference vector for determining the predetermined positions of the plurality of marks in the chart image such that the sum of squares of the difference becomes minimum between: the respective center positions of the plurality of marks in the chart image created by the image pickup means, and respective positions of the plurality of marks based upon the geometric property format stored in the format storage means, as recited in new independent claim 57. It is also respectfully submitted that Komiya et al, even considered in view of the various other cited publications, does not disclose, teach or suggest the corresponding method step and structure of claims 58 and 59.

Accordingly, it is respectfully submitted that the present invention as recited in independent claims 24, 48 and 56, all of the claims respectively depending therefrom, and new independent claims 57-59 clearly patentably distinguishes over Komiya et al and all of the other cited references, under 35 USC 103.

CLAIM FEE

The application was originally filed with 55 claims of which 1 was independent, and the appropriate claim fee was paid for such claims. The application now contains 34 claims, of which 6 are independent. Accordingly, a claim fee in the amount of \$630.00 for the addition of 3 extra independent claims is attached hereto. In addition, authorization is hereby given to charge any additional fees which may be determined to be required to Account No. 06-1378.

* * * * *

In view of the foregoing, entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

Application Serial No. 10/509,485
Amendment filed with RCE

Customer No. 01933

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

/Douglas Holtz/

Douglas Holtz
Reg. No. 33,902

Frishauf, Holtz, Goodman & Chick, P.C.
220 Fifth Avenue - 16th Floor
New York, New York 10001-7708
Tel. No. (212) 319-4900
Fax No. (212) 319-5101

DH:iv
encls.